

REGULAR MEETING
September 9, 2002

The Regular Meeting of the Annapolis City Council was held on September 9, 2002 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Hoyle, Kelley, Cordle, Carter, Fox, Cohen

Staff Present: City Attorney Goetzke

Awards and Presentations

- C Mayor Moyer presented a Glittering Gems of Annapolis Award to Shirley A. Hicks.
- C Alderman Tolliver moved to approve the Journal of Proceedings for July 8, 2002 Special, July 8, 2002 Closed, July 8, 2002 Regular and July 22, 2002 Special. Seconded. CARRIED on voice vote.

PETITIONS, REPORTS AND COMMUNICATIONS

- C Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke praising the quality of service provided by City employees.

LEGISLATIVE ACTION

ORDINANCES

- O-1-02 For the purpose of transferring petitions, reports and communications from the order of business at regular meetings of the city council to the public hearing order of business; and all matters generally relating to said item.**

Without objection, O-1-02 was postponed.

- O-21-02 For the purpose of conveying, by deed, whatever rights, title and interest the City has in a certain portion of a street known as Archwood Avenue in the City of Annapolis, to an adjacent property owner whose property is 115 Archwood Avenue which is contiguous to said parcel of ground; providing for the property to be sold at private sale; providing for the conveyance of a certain right-of-way easement for storm water drainage to the City; and all matters relating to said deed.**

Alderman Hammond moved to adopt O-21-02 on second reading. Seconded.

The Finance Committee reported favorably with amendments on O-21-02.

Alderman Fox moved to amend O-21-02 as follows:

No. 1

On Page 1, line 13

strike "portion of a street known as Archwood Avenue";

add "parcel of ground located on Amos Garrett Boulevard",

No. 2

On Page 1, line 16

strike “conveyance”;

add “reservation”,

No. 3

On Page 1, line 16

strike “right-of-way”,

No. 4

On Page 1, line 16

strike “storm water drainage”,

No. 5

On Page 1, line 17

strike “deed”;

add “conveyance”,

No. 6

On Page 1, line 21

strike “owns certain land located on”;

add “owns a certain parcel of ground located on Amos Garrett Boulevard abutting 115”,

No. 7

On Page 1, line 22 after “Annapolis”

add “, (hereinafter “the Parcel”);”,

No. 8

On Page 1, line 25

strike “a portion of the right-of-way on Archwood Avenue”;

add “the Parcel which is”,

No. 9

On Page 1, line 29

strike “sale of the”;

add “sale, for one dollar (\$1.00), of the City’s interest, if any, in the”,

No. 10

On Page 1, line 31 after “Avenue”

add “(which property included the Parcel)”,

No. 11

On Page 1, line 31

strike “which”,

No. 12

On Page 1, line 32

strike “includes”;

add “owners, including a prior owner of”,

No. 13

On Page 1, line 33

add “WHEREAS, the prior owner of 115 Archwood Avenue did not purchase the
City’s interest in the Parcel; and”,

No. 14

On Page 1, line 37 after “auction”

add “under the same terms and conditions offered to Purchaser’s predecessor in
interest pursuant to O-94-79 Amended”,

No. 15

On Page 1, line 39

strike “deed”;

add “sale,”,

No. 16

On Page 1, line 40

strike “street bed”;

add “Parcel”,

No. 17

On Page 2, line 5

strike “that portion of Archwood Avenue located in the City of Annapolis,”;

add “the Parcel, accepting so much of the Parcel lying within the right-of-way of
Amos Garrett Boulevard and reserving a fifteen foot (15') easement to the City of
Annapolis, all”,

No. 18

On Page 2, line 6

strike “plat”;

add “utility map”,

No. 19

On Page 2, line 8 after “deed”

add “and survey”,

No. 20

On Page 2, line 11

strike “purchaser”;

add “Purchaser”,

No. 21

On Page 2, line 12

strike “parcels of ground”;

add “Parcel”,

No. 22

On Page 2, line 15

strike “The property”;

add “That the property shall”,

No. 23

On Page 2, line 15

strike “.”;

add “; and”,

No. 24

On Page 2, line 16

add “4. That the Parcel shall not be used to create a new building lot and the deed shall contain such a restriction.”,

No. 25

On Page 2, line 22

strike “and the property subject to this conveyance is as described in the deed

attached hereto and made a part hereof”;

add “according to the terms and conditions set forth herein”. Seconded.

Alderman Tolliver moved to substitute O-21-02 Revised for Alderman Fox’s amendments. Seconded.

Following discussion, Alderman Tolliver withdrew her motion.

Alderman Fox’s amendments CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved to adopt O-21-02 amended on third reading. Seconded. CARRIED on voice vote.

O-22-02 For the purpose of supporting the performing arts; providing that monies may be awarded from the Arts Fund, currently known as the Arts in Public Places Fund, to performing artists and groups which promote or practice performing arts; and matters generally relating to said performing arts.

Alderman Hammond moved to adopt O-22-02 on second reading. Seconded.

The Finance Committee reported favorably on O-22-02.

Alderman Tolliver moved to amend O-22-02 as follows:

On page 4, beginning in line 21, strike “to performing artists to pursue the performing arts and” and in line 23, after “arts” add “TO SUPPORT THE DIRECT COSTS OF PERFORMANCES WHICH ARE OPEN TO THE PUBLIC”; AND

On page 6, in line 30 strike “In addition to general costs, monies may” and strike lines 31 through 33 in their entirety, and substitute “MONIES MAY BE USED TO SUPPORT THE DIRECT COSTS OF PERFORMANCES WHICH ARE OPEN TO THE PUBLIC.”

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Fox moved to adopt O-22-02 amended on third reading. Seconded. CARRIED on voice vote.

O-28-02 For the purpose of prohibiting the raising of animals for the purpose of consumption; and matters generally relating to said prohibition.

Alderman Hammond moved to adopt O-28-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Housing and Human Welfare Committee

O-30-02 For the purpose of requiring a street-end view cone where a street right-of-way terminates at a waterway; specifying that no fence, wall or hedge with a height greater than 42 inches shall be allowed in the street-end view cone; including prohibited fences, walls or hedges as obstructions in required yards; and matters generally relating to said

requirements and prohibitions.

Alderman Hammond moved to adopt O-30-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government and Planning Commission

RESOLUTIONS

- R-21-02 For the purpose of approving the development of affordable housing in Annapolis, Maryland to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through the Department’s Community Development Administration (the “Administration”).**

Without objection, R-21-02 was postponed.

- R-25-02 For the purpose of declaring Annapolis a “Leave No Child Behind City” and endorsing the Movement and the Act to “Leave No Child Behind” (S.940/H.R.1990); and all matters relating to said declaration and endorsement.**

Alderman Fox moved to adopt R-25-02 on first reading. Seconded. CARRIED on voice vote.

- R-26-02 For the purpose of approving the job descriptions for the civil service positions in the Finance Department for Management Information Technology Web Developer and in the Police Department for Office Associate II; establishing the pay grade for the MIT Web Developer; reclassifying a current Office Associate II position in the Police Department to Police Records Specialist; and all matters relating to said job descriptions, pay grades and reclassification.**

Alderman Hammond moved to adopt R-26-02 on first reading. Seconded. CARRIED on voice vote.

- R-27-02 For the purpose of recognizing The Alzheimer’s Association Greater Maryland Chapter’s 13th Annual Memory Walk–Taking Steps to End Alzheimer’s; and all matters relating to said event.**

Alderman Hammond moved to adopt R-27-02 on first reading. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderman Hammond moved to adopt R-27-02 on second reading. Seconded. CARRIED on voice vote.

- R-28-02 For the purpose of remembering the victims, heroes, and all those affected by the September 11, 2001 terrorist attacks; declaring September 11, 2002 as a day of remembrance and appreciation; and all matters relating to said remembrance.**

Alderman Carter moved to adopt R-28 -02 on first reading. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderman Hammond moved to adopt R-28-02 on second reading. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. Civil Service Board Recommendations dated July 11, 2002

Alderman Cohen moved to receive the Civil Service Board Recommendations dated July 11, 2002. Seconded. CARRIED on voice vote.

2. Finance Committee Meeting Recommendations dated August 15, 2002

Alderman Cohen moved to accept the Finance Committee Meeting Recommendations dated August 15, 2002. Seconded. CARRIED on voice vote.

3. Payment of Monthly Bills

Alderman Carter moved to pay the monthly bills. Seconded. CARRIED on voice vote.

4. Appointments

Alderman Hammond moved to approve the Mayor's (re)appointments of the following individuals as set forth in Memoranda dated August 12 and August 26, 2002:

Alcoholic Beverage Control Board	James Gregory
Art in Public Places	Wanda Kelley
Port Wardens	Mary Louise Davis

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:12 p.m.

Deborah Heinbuch, CMC/AAE
City Clerk